

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

<b>STENIO and RAQUEL DESOUZA,</b>	:	
	:	
Plaintiffs,	:	
v.	:	
	:	CIVIL ACTION NO. 05-787
<b>J.N. CARPENTRY, INC., et al.,</b>	:	
	:	
Defendants.	:	
	:	

**MOTION OF DEFENDANT, J.N. CARPENTRY, INC.  
TO COMPEL PLAINTIFFS TO RESPOND TO  
INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**

Pursuant to Fed. R. Civ. P. 37, Defendant, J.N. Carpentry, Inc. (hereinafter “Moving Defendant”), by and through its attorneys, Wright & O’Donnell, P.C., hereby files this Motion to Compel Plaintiffs to responds to Interrogatories, Requests for Production of Documents and Disclosures, and in support thereof, states as follows:

1. This matter involves Plaintiffs’ claims for personal injuries sustained on or about November 17, 2003, while working on a construction site in Newark, Delaware.
2. On March 1, 2007, Moving Defendant served Interrogatories and Request for Production of Documents on Plaintiffs.
3. During the course of litigation, other parties have also served Interrogatories and Requests for Production on the Plaintiffs.
4. To date, Moving Defendant has not received responses from Plaintiffs to its Interrogatories or Requests for Production, and/or copies of any responses to any Interrogatories or Requests for Production propounded by other parties.

5. Additionally, Moving Defendant is not in receipt of any Rule 26 Disclosures issued on behalf of Plaintiffs.

6. Moving Defendant's position in this litigation is being severely prejudiced by Plaintiffs' failure to provide responses to written discovery and disclosures.

**WHEREFORE**, for the foregoing reasons, Moving Defendant respectfully requests that this Honorable Court grant its Motion and enter the accompanying Order requiring Plaintiffs to respond to Interrogatories and Request for Production of Documents.

Respectfully submitted,

WRIGHT & O'DONNELL, P.C.

/s/ George T. McCool, Jr.

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Plaintiff, J.N. Carpentry, Inc.

Dated: June 4, 2007

**CERTIFICATE OF SERVICE**

I, George T. McCool, Jr., Esquire, hereby certify that a true and correct copy of the foregoing Motion to Compel Plaintiffs to Respond to Interrogatories and Request for Production of Documents, was served upon the below listed counsel of record via electronic filing and/or regular mail:

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